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Paper No. 8

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APR 7 2003

In re Application of:	:	
HAO <i>et al.</i>	:	DECISION ON PETITION
Application No. 09/654,845	:	TO WITHDRAW HOLDING
Filed: September 01, 2000	:	OF ABANDONMENT
Attorney Docket No. 87552.99R272/SE-1528PD	:	

This is a decision on the request filed March 03, 2003, to reconsider the holding of abandonment. This request is being treated as a petition under 37 CFR § 1.181, to withdraw the holding of abandonment in the above application. No petition fee is required.

The petition to withdraw the holding of abandonment is **GRANTED**.

The application was held abandoned for the failure timely file a response to an Office action mailed on April 01, 2002. A Notice of Abandonment was mailed on February 11, 2003.

Petitioner asserts that on July 01, 2002, a response was filed. In support of this assertion, petitioner has submitted a copy of the response and a copy of the itemized postcard receipt bearing a date stamp of receipt in the United States Patent and Trademark Office of July 10, 2002 of a response to an Office action, certificate of first class mail and a return receipt acknowledgment postcard.

A review of the application file reveals the above noted response was not matched with the application file wrapper at the time of mailing of the Notice of Abandonment. The above identified response filed July 10, 2002 has since been located and matched with the file wrapper.

For the above stated reason, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The application file is being forwarded to the Technology Center 2800 support staff for processing the response. From there, the application will be forwarded to the examiner for taking appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-0519.



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